

REMARKS

Applicant respectfully requests favorable reconsideration of the above-captioned application as amended.

By this Amendment, claims 1-20, 22-25, 28-32, 34-54 and 56-62 stand cancelled without prejudice. Claims 21, 26, 27, 33 and 55 remain pending, having been amended in terms which more clearly define the present invention. In addition, new claims 63-76 have been added. These new claims are fully supported by the specification, and no new matter has been added. Thus, claims 21, 26, 27, 33, 55 and 63-76 are now pending. Claims 21, 26, 27, 33, 55, 63, 64, 67 and 70-76 are the independent claims.

For the Examiner's convenience, Applicant notes that the pending independent claims are divided into five sets of three independent claims (client device, method, and storage medium), directed respectively to five aspects of the present invention, as follows:

- (1) Claims 21, 27 and 55: a "receipt status" aspect
- (2) Claims 26, 33 and 63: an "automatic launch" aspect
- (3) Claims 64, 67 and 70: an "other content stream" aspect
- (4) Claims 71, 72 and 73: a "default set" aspect
- (5) Claims 74, 75 and 76: a "repeat job" aspect

Of course, the aspect identifiers given above are only for the convenience of the Examiner, and do not define or limit the scope of the claims in any way.

In the Office Action, claims 21-24, 27-31, 34-44, 47-50, 53 and 54 were rejected as being anticipated by U.S. Patent 6,442,598 to Wright et al. (hereinafter "Wright"), together with Official Notice applied to certain of the claims. Claims 25, 32, 45 and 51 were rejected as being obvious over Wright in view of Official Notice. As shown above, Applicant has now variously

amended or cancelled the prior claims without prejudice, and submits that the pending claims are patentably distinct from the prior art of record, for the following reasons.

The present invention as defined in independent claim 21 corresponds to prior dependent claim 25 written in independent form. Specifically, independent claim 21 recites, in part, that “the display is operable to display a window showing each selected content stream and its *receipt status*.” This is shown in the present application, for example, in Fig. 8.

Wright is directed to a system and method for delivering Web content over a broadcast medium. The Office Action in paragraph 5 agrees that Wright does not disclose this feature, but cites to Official Notice as allegedly teaching that providing a graphical display of receipt status of downloaded media is well known.

Applicant respectfully traverses. In particular, it is submitted that no showing has been made that this teaching was known in the context of a client device as recited in claim 21 as of the 1999 effective filing date of the present application. Moreover, Applicant submits that there is no teaching or suggestion to provide such a display in connection with Wright, because Wright is directed to the reception of many individual Web pages. It would be cumbersome at the least to display the receipt status of each page, and in the illustrated examples of Web page sources, e.g., CNBC, ESPN (see Fig. 5), there would be no convenient point to indicate that reception is complete.

Therefore, Applicant respectfully submits that independent client device claim 21, together with its corresponding method and storage medium claims 27 and 55, is patentably distinguished from the cited prior art.

The present invention as defined in independent claim 26 corresponds to prior dependent claim 26 rewritten in independent form. Specifically, claim 26 recites, in part, that: :the

graphical user interface is operable to receive the user's selection for automatically launching a content stream upon its receipt.”

The Office Action on page 4 generally cites to columns 11 and 12 of Wright as teaching this feature. Applicant has carefully reviewed Wright with special attention to these columns, but does not find any such teaching or suggestion. Rather, in col. 12, lines 45-47, Wright merely indicates that if the package file (containing one or more Web pages) arrives intact, an unpackager 112 is instructed to reconstruct the Web pages.

The Office Action further cites to Official Notice, alleging that this feature was well known. Again, it is submitted that no showing has been made that this teaching was known in the context of a client device as recited in claim 26 as of the 1999 effective filing date of the present application. Moreover, Applicant submits that there is no teaching or suggestion to provide such a feature in connection with Wright, which would involve the automatic launch of *Web pages*. In generally, an automatic launch might be advantageous in connection with a software download that might run in the background. In contrast, there is no reason why a Web page should be automatically displayed whenever it is received, when it might interrupt some other display that the user currently wishes to view. Thus, it is submitted that there is no teaching or suggestion in the cited prior art that it would have been obvious to automatically launch *Web pages* upon receipt.

Therefore, Applicant respectfully submits that independent client device claim 26, together with its corresponding method and storage medium claims 33 and 63, is patentably distinguished from the cited prior art.

The remaining three “aspects” of the present invention listed above are presented in new claims, and therefore are not addressed in the Office Action. Applicant respectfully submits that these claims are also patentably distinct from the prior art of record.

Thus, the present invention as defined in new claim 64 is directed to a client device comprising a display for displaying a program guide transmitted from a server system, the program guide listing a plurality of identifiers, each identifier respectively identifying one of a plurality of content streams transmittable from the server system, and an approximate time of transmission for each such content stream. In accordance with an advantageous aspect of the present invention, the plurality of content streams includes at least a first content stream having a content other than one or more Web pages, and the client device is operable to process the first content stream

The client device of claim 64 further comprises a graphical user interface for enabling a user of the client device to select one or more of the content streams by selecting the respective client identifier listed in the program guide, and a storage device for storing the selected ones of the plurality of content streams transmitted from the server system, wherein the graphical user interface is operable to enable selective receipt of specific ones of the plurality of content streams by storing in the storage device only those of the content streams transmitted from the server system to the client device that were previously selected by the user, and by ignoring other content streams transmitted from the server system to the client device but not selected by the user, whereby the other content streams are not stored in the storage device.

As understood by Applicant, Wright only discusses its invention in terms of Web pages, whereas the present invention as defined in claim 64 can receive many different types of content streams. Applicant further notes that dependent claims 65 and 66 respectively recite that this

first content stream requires decrypting or decompressing. Applicant has found no teaching or suggestion in the prior art of record of the combination of these features in a client device as recited in claim 64.

Therefore, Applicant respectfully submits that independent client device claim 64 and dependent claims 65 and 66, together with their corresponding method and storage medium claims 67-69 and 70, are patentably distinguished from the prior art of record.

The present invention as defined in independent claim 71 is directed to a client device wherein, in relevant part, the plurality of content streams includes “at least a default set of at least one content stream, which is received independently of user selection.” Applicant has found no teaching or suggestion in the prior art of record of the combination of this feature in a client device as recited in claim 71.

Therefore, Applicant respectfully submits that independent client device claim 71, together with its corresponding method and storage medium claims 72 and 73, is patentably distinguished from the cited prior art.

The present invention as defined in independent claim 74 is directed to a client device wherein, in relevant part, “at least one of the plurality of content streams is scheduled for transmission at the respective approximate time as a repeat job, the repeat job re-scheduling itself for transmission again at a later time.” Applicant has found no teaching or suggestion in the prior art of record of the combination of this feature in a client device as recited in claim 74. In particular, in Wright, while a Web page may be broadcast more than once, there is no teaching or suggestion of this re-scheduling feature.

Therefore, Applicant respectfully submits that independent client device claim 74, together with its corresponding method and storage medium claims 75 and 76, is patentably distinguished from the cited prior art.

It is respectfully submitted that the pending claims are neither taught nor suggested by Wright or any of the other prior art of record, taken either alone or in combination.

The Examiner is therefore respectfully requested to allow claims 21, 26, 27, 33, 55 and 63-76 and pass this application to issue.

If any fee is due for this filing, please charge the LARGE ENTITY fee therefor to Deposit Account No. 16-2500 of the undersigned.

Applicant's undersigned attorney may be reached by telephone at (212) 969-3314 or by facsimile at (212) 969-2900. Please direct all correspondence to Customer No. 21890 at the address provided below.

Respectfully submitted
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